


**WHITEHEAD DECLARATION**  
**EXHIBIT S**

	<p><b>POLICY and PROCEDURE MANUAL</b></p> <p><b>CHAPTER: Detainee Services and Programs</b></p> <p><b>TITLE: Voluntary Work Program</b></p> <p><b>RELATED ACA STANDARDS:</b>  <b>4-ALDF-5C-06, 5C-08 through 5C-12, 6B-02, 6B-03, and 7F-03</b></p>	<p><b><u>NUMBER:</u></b>  <b>5.1.2</b></p> <p><b><u>SUPERSEDES:</u></b>  <b>4/20/2010</b></p> <p><b><u>EFFECTIVE:</u></b>  <b>4/13/2015</b></p>
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**I. PURPOSE:**

The purpose of this policy is to set forth the procedures governing the voluntary work program at the Northwest Detention Center.

**II DEFINITION(S):**

Classification Level: A detainee's security level as determined by background and reason for confinement.

Work Assignment: An occupational activity (work) for which a detainee may volunteer and be paid a daily stipend.

**III POLICY:**

It is the policy of The Northwest Detention Center to maintain a voluntary work program that provides detainees the opportunity to earn a daily stipend. All work details will be performed in compliance with all Occupational Health Administration standards.

**IV. PROCEDURES:**

**A. Voluntary Work Program**

1. Detainees who are physically and mentally able to work will be provided the opportunity to participate in the voluntary work program.
2. The detainee's classification level determines the type of work assignment for which he / she is eligible.
3. **High** detainees will not be given work opportunities outside their housing units.
4. General work assignments do not require specific skills. Examples of work assignments and corresponding classification levels are as follows:

**B. Work Assignment**

1. Kitchen Worker
2. Recreation / Barber


Level

Low – Medium High  
 Low – Medium High

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Exhibit 313  
 Witness Tracy  
 Date 12-3-19

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- |    |   |                   |
|----|---|-------------------|
| 3. | Living area (janitorial, server, laundry) | Low – High        |
| 4. | Evening workers (facility janitorial)     | Low – Medium High |
| 5. | Laundry                                   | Low – Medium High |

**NOTE:**

- 1) Detainees who are released from Disciplinary Segregation may not be considered for a work assignment until they have shown a positive period of adjustment.

**C. Voluntary Work Program Objectives**

Through the voluntary work Program:

1. Physically and mentally able detainees are gainfully employed while contributing to the orderly operation of the facility.
2. Essential operations and services improve through the productivity of detainees.
3. Inactivity-induced idleness and disciplinary-code violations are reduced.

**D. Required Work Assignments**

Work assignments are voluntary. However, all detainees are responsible for personal housekeeping.

Detainees are required to maintain their immediate living areas in a neat and orderly manner. This involves making their bunk beds daily, stacking loose papers, keeping the floor free of debris or clutter, and hanging / draping no articles of clothing, pictures, keepsakes, or other objects from beds, overhead lighting fixtures, or other furniture.

**E. Voluntary Special Details**

Detainees may volunteer for the temporary work details that occasionally arise. The work, which generally last from several hours to several days, may involve removing debris, and other such activities that contribute to the community.

**F. Detainee Selection**

The following general procedures apply:

1. Detainee submits a work request requesting a work assignment.



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2. The detainee's work request will be forwarded to the Classification Work Program Supervisor.
3. The work program supervisor will review the detainee's detention file to review / confirm his/her classification status and other relevant documents.
4. Detainees will be offered the requested work assignment when it is available and in the order requests were received so long as all minimum requirements for the detail are met.
5. Detainees requesting specific jobs that are not available at the time of the request will be placed on an ongoing waiting list in the order requests were received. The waiting list will be maintained by the work program supervisor and distributed as necessary.
6. The supervisor will inquire from other staff about the detainee's attitude and behavior. The results of these inquiries may have a factor in the selection process.
7. Staff will explain the rules and regulations as well as privileges relating to the detainee work status. The detainee is required to sign a "Voluntary Work Program Agreement" form before every new job assignment. Completed "Agreements" will be filed in the detainee's detention file.
8. The supervisor will assess the detainee's language skills as it affects the detainee's ability to perform the specific job requirements. To the extent possible, work opportunities should be provided to detainees who are able to communicate with the supervising staff effectively and in a manner that does not compromise safety and security.

The primary factors in hiring a detainee as a worker will be his / her classification level and the specific requirements of the job.


G. Discrimination in Hiring Detainee Workers

Volunteer detainees are not to be denied work opportunities based on detainee's race, religion, national origin, gender, sexual orientation or disability.

H. Physically and Mentally Challenged Detainees

The Northwest Detention Center maintains custody of physically and mentally challenged detainees whose disabilities range from minor to debilitating. While some of these individuals medical restrictions will prevent them from working, those with less severe



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disabilities will have the opportunity to participate in the voluntary work program, in appropriate work projects.

The designated staff member assigned to oversee the volunteer work program will consider the precise limitations of a disabled individual before rejecting certain work assignments. Expediency or convenience will not justify the rejection of a detainee who, with reasonable accommodation, can perform the essential function of the work involved. In disputed cases, the official will consult with the medical director before making any assignments.

**I. Hours of Work**

Detainees participating in the volunteer work program are required to work as scheduled.

The normal schedule workday for a detainee employed full-time is a maximum of 8 hours. Detainees who wish to participate in the work program will not be permitted to work in excess of 8 hours daily, 40 hours weekly.

Unexcused absences from work or unsatisfactory work performance may result in removal from the voluntary work program.

**J. Number of Details in One Day**

A detainee may participate in only one work detail per day.

**K. Facilities That Detain Criminal Aliens**

A detainee cannot work until the Classification process is complete.

**L. Compensation**

Detainees receive monetary compensation for work performed. The stipend is \$1.00 per day to be paid the following business day. A detainee must submit a claim for non-payment within 14 business days of the date in question. All pay must be verified prior to credit being received. Detainees may request a copy of their personal account once per week.

**M. Removal of Detainee from Work Detail**

A detainee may be removed from a work detail for cause. Upon removing a detainee from a work detail, a written justification will be placed in the detainee's detention file. Some of the reasons for removal are:

1. Unsatisfactory performance.

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2. Disruptive behavior, threats to security, etc.
3. Infraction of a facility rule, regulation or policy, leading to removal from a work detail as a sanction imposed by the Institutional Disciplinary Panel.
4. Physical inability to perform all functions required by the job, whether because of a lack of strength or a medical condition. Such detainees may be removed from a work detail to prevent future injuries. If the detainee's performance is otherwise acceptable, he/she may be considered for other assignments.
5. Detainee may file a grievance to the Facility Administrator or local Field Office Director if they believe they were unfairly removed from work, in accordance with standard "6.2 Grievance System."

**N. Detainee Responsibility**

The Detainee Handbook will provide information and direction for the work program.

The detainees will perform all assigned tasks diligently and conscientiously. Removal from the work detail and / or disciplinary action may result when a detainee evades attendance or encourages others to do so.


The detainee will exercise care in performing assigned work, using safety equipment and other precautions in accordance with the work supervisor's instructions. In the event of a work-related injury, the detainee is to notify the work supervisor, who will immediately implement injury-response procedures.

**O. Detainee Training and Safety**

Northwest Detention Center complies with all applicable health and safety regulations and standards.

Department heads, in conjunction with the training officer, must develop and institute appropriate training programs for all detainee workers.

1. The Voluntary Work Program shall operate in compliance with the following:
  - a. Occupational Safety and Health Administration (OSHA) regulations;
  - b. National Fire Protection Association 101 Life Safety Code;
  - c. American Correctional Association Standards for Adult Local Detention Facilities, current edition; and
  - d. International Council Codes (ICC) .

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2. Upon the detainee's assignment to a job or detail, the supervisor will provide instructions regarding safe work methods and, if relevant, safety requirements pertaining to hazardous materials. The supervisor will demonstrate safety features and practices. Workers are to learn to recognize hazards in the workplace, to understand the protective devices and clothing provided, and to report deficiencies to their supervisors. Staff and detainees that do not read English will not be authorized to work with hazardous materials. Detainees will undertake no job assignment before signing a "Volunteer Work Program Agreement" form that, among other things, confirms that the detainee has received and understood training from the supervisor about the work detail. This agreement is placed in the detainee's detention file.
3. Medical staff will ensure detainees are medically screened and certified before undertaking a food service assignment.
4. Staff will provide detainees with safety equipment that meets OSHA and other standards associated with the task performed.

**P. Detainee Injury and Reporting Procedures**

If a detainee is injured while performing his / her work assignment, the following is to apply:

1. The detail supervisor will immediately notify the facility medical staff.
2. First Aid will be administered when necessary.
3. Medical staff will determine what treatment is necessary and where that treatment will be provided.
4. The work supervisor will complete a detainee Information Report and submit it to the Associate Warden for review and processing. A copy of this report will be placed in the detainee's file. Medical staff will create their own record and place a copy in the detainee's medical file.
5. A detainee may not return to work until cleared by medical staff.
6. Immediate notification to ICE/ERO of detainee work related injury.



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**REFERENCES:**

**U.S. Department of Homeland Security, Contract HSCEDM-10-D-00001, Section J. Statement of Work**

**ICE Performance Based National Detention Standards, Part 5, Activities 5.8 - Voluntary Work Program-**


**THE GEO GROUP INC. Policy 13.1.4 titled "Inmate Work"**

REVIEWED/REVISED \_\_\_\_\_  
Warden

DATE: \_\_\_\_\_

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	Warden	
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	ICE Assistant Field Office Director	
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	ICE Assistant Field Office Director	